

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

SARAH MOLINA, et al.,)	
)	
Plaintiffs,)	
)	
vs.)	Case No. 4:17-cv-02498-AGF
)	
CITY OF ST. LOUIS, MISSOURI,)	
et al,)	
)	
Defendants.)	

ORDER

On March 31, 2021, the Court denied Defendants' motion for summary judgment on all three Plaintiffs' First Amendment retaliation claims (Count I) and Plaintiffs' First Amendment municipal liability claims (Count IV). Doc. No. 201. In a decision on interlocutory appeal dated February 2, 2023, the Eighth Circuit Court of Appeals reversed this Court's order denying Defendants' motion for summary judgment as to Plaintiffs Sarah Molina and Christina Vogel's First Amendment retaliation claims and affirming this Court's order denying Defendants' motion for summary judgment as to Plaintiff Peter Groce's First Amendment retaliation claim, but only against the individual officers in the BEAR. Doc. No. 215. The mandate issued May 1, 2023. Doc. No. 222. This matter was stayed while Plaintiffs' petition for writ of certiorari was pending with the Supreme Court. Doc. No. 225. Plaintiffs' petition was denied by the Supreme Court on February 20, 2024. Doc. No. 228.

On March 7, 2024, the parties filed a joint status report and joint proposed

scheduling plan. Doc. No. 230. The parties dispute whether the Eighth Circuit's decision foreclosed Plaintiffs Molina and Vogel's municipal liability claim against the City of St. Louis (Count IV) and request the opportunity for Defendant City of St. Louis to file a renewed motion of summary judgment on the issue prior to a trial setting.

Accordingly, and for good cause shown,

IT IS HEREBY ORDERED that Defendant City of St. Louis is granted leave to file a renewed motion for summary judgment on Plaintiffs Molina and Vogel's municipal liability claims (Count IV). Defendant shall file its motion no later than **May 31, 2024**. Plaintiffs' responses shall be filed no later than **28 days** after the motion is filed (and no later than **June 28, 2024**) and any reply may be filed no later than **14 days** thereafter (and no later than **July 12, 2024**).

IT IS FURTHER ORDERED that within **14 days** of the Court's ruling on the above summary judgment motion, the parties shall submit a joint proposed scheduling plan including identification of whether any additional discovery is required, a date for a supplemental mediation conference, a date by which the case by which the case will be ready for trial together with an estimate of the number of days the case will take to try.



AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE

Dated this 19th day of April, 2024.